

THE TOWN OF FOREST HEIGHTS
RESOLUTION 18-17

RESOLUTION TO REPLACE VEHICLE TRANSMISSION

Introduced by: Councilwoman C. Lynn Smith-Barnes

WHEREAS, the Town Charter, § 33-63(f) authorizes the Town to forego the normal procurement process through cooperative purchasing in certain cases where another government entity has already made a competitive purchase of said item and therefore the Mayor and Council may, without soliciting bids, purchase the item in question at the bid price from the successful bidder, if the Mayor and Council determines that the bid price is competitive, and

WHEREAS, the Town Charter, § 33-63(g) further authorizes the Mayor and Council by a two-thirds vote to waive the competitive bidding requirements of said Charter section for good cause shown for sole source procurements of unique products and services, and that written findings as to the basis of such waiver shall be placed in the journal of the Council's proceedings, and

WHEREAS, the Town Ordinance Code, § 20.4(a)(6) states that upon written findings entered into the journal, the Mayor and Council may exempt the purchase of a good or service from competitive selection processes when the purchase qualifies as a sole source procurement as a result of several circumstances including: One vendor is the only one qualified or eligible or is quite obviously the most qualified or eligible to provide the good or service or the procurement is of such a specialized nature or related to a specific geographic location that only a single source, by virtue of experience, expertise, proximity, or ownership of intellectual property rights, could most satisfactorily provide the good or service, and

WHEREAS, the Council finds that it is prudent and necessary to purchase a rebuilt transmission and installation for one of the police department's vehicles (2007 Ford) to continue efficient operation while ensuring the concerns for public safety and

WHEREAS, The Mayor and Council desire to purchase said transmission and related installation from Danny's Auto Service Hyattsville, Maryland. Forest Heights and other municipalities have utilized Danny's repair services before, and is hereby considered to be quite obviously the most qualified or eligible vendor to provide the good or service and/or the procurement is of such a specialized nature or related to a specific geographic location that only a single source is reasonably available, by virtue of experience, expertise, and proximity, and

WHEREAS, the Treasurer has certified that the funds are available under line item 7077 and it has been verified that Danny's Auto Repair of Hyattsville, Maryland, is a unique or sole provider of this merchandise, said provider has made government sells, and the

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procurement is for items of a specialized nature in accordance with Section 20.4(a)(6) of the Ordinance Code for the Town of Forest Heights.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of Town of Forest Heights, Maryland hereby authorize the Chief of Police or his designee to purchase a rebuilt transmission and installation utilizing Danny's Auto Repair, Hyattsville, Maryland for a purchase price not to exceed \$2,800.00 (\$2,100.00 transmission and \$700.00 labor.) This transaction will proceed as further described herein and in the above recitals which are incorporated by reference herein.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED this 3rd day of April 2017.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
MUHAMMAD	<u>YEA</u>
KENNEDY II	<u>YEA</u>
MCLAURIN	<u>NAY</u>
BARNES	<u>YEA</u>
HINES	<u>YEA</u>
SMITH-BARNES	<u>YEA</u>
BROWNSON	<u>NAY</u>

I, hereby certify, as the duly appointed Town Clerk of Forest Heights, Maryland, that on the 3rd day of April 2017 with 5 Aye votes and 2 Nay votes, constituting a majority of at least four (4) affirmative votes, the aforesaid Resolution 18-17 passed.

ATTEST:

SIGNATURE ON FILE

Bonita Anderson, Town Clerk

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS

By: **SIGNATURE ON FILE**
Habeeb-Ullah Muhammad, Mayor

By: **SIGNATURE ON FILE**
Jonathon Kennedy II, Council President

Exhibit Attached